

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

FILED  
WILLIAMSPORT

MAY 11 2018

PER [Signature]  
DEPUTY CLERK

(1) Roscoe Chambers 13495-030  
(Name of Plaintiff) (Inmate Number)

USP Lewisburg P.O. Box 1000 Lewisburg PA 178  
(Address) 37

(2) \_\_\_\_\_  
(Name of Plaintiff) (Inmate Number)

\_\_\_\_\_  
(Address)

(Each named party must be numbered,  
and all names must be printed or typed)

vs.

(1) Warden David J EBBert

(2) Regional Director M.D. Carvajal

(3) Assist Warden Col Bert  
(Names of Defendants)

(Each named party must be numbered,  
and all names must be printed or typed)

**3: CV 18-1009**

(Case Number)

CIVIL COMPLAINT

TO BE FILED UNDER: 42 U.S.C. § 1983 - STATE OFFICIALS

☒ 28 U.S.C. § 1331 - FEDERAL OFFICIALS

I. PREVIOUS LAWSUITS

A. If you have filed any other lawsuits in federal court while a prisoner, please list the caption and case number including year, as well as the name of the judicial officer to whom it was assigned:

5:17-CV-02564-MWF-Kes, 5:17-CV-01353-MWF-Kes,  
3:17-CV-00996 JPC-RJD 2017 Denying adequate  
medical care and excessive force,

Defendants

- 4) J. Moxor -
- 5) Whitaker
- 6) DHO officer Cerney
- 7) Record Supervisory OLSheski

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**II. EXHAUSTION OF ADMINISTRATIVE REMEDIES**

In order to proceed in federal court, you must fully exhaust any available administrative remedies as to each ground on which you request action.

A. Is there a prisoner grievance procedure available at your present institution? ☒ Yes ☐ No

B. Have you fully exhausted your available administrative remedies regarding each of your present claims? ☐ Yes ☒ No

C. If your answer to "B" is Yes:

1. What steps did you take? The Regional Director and warden are Hindering my rights to Exhaust the Administration Remedies

2. What was the result? They are rejecting them and not filing them pursuant to 28.C.F.R. 542.10-18

D. If your answer to "B" is No, explain why not: The regional Director and warden are trying to help staff retaliate and cover-up illegal acts

**III. DEFENDANTS**

(1) Name of first defendant: Warden David J EBBert

Employed as Warden at USP, Lewisburg

Mailing address: USP Lewisburg 2400 Robert F. Miller Drive Lewisburg PA 17837

(2) Name of second defendant: Regional Director M. D. Carvajal

Employed as Regional Director at Northeast Regional Office

Mailing address: US Custom House 7th floor 2nd Chestnut Philadelphia PA 19106

(3) Name of third defendant: Assistant Warden Colbert

Employed as Assistant Warden at USP Lewisburg

Mailing address: 2400 Robert F Miller Drive Lewisburg PA 17837

(List any additional defendants, their employment, and addresses on extra sheets if necessary)

**IV. STATEMENT OF CLAIM**

(State here as briefly as possible the facts of your case. Describe how each defendant is involved, including dates and places. Do not give any legal arguments or cite any cases or statutes. Attach no more than three extra sheets if necessary.)

1. Defendant #1 Warden David J EBBert was giving several request that I was being harrassed by PO J Mayor, This officer retaliated on me filed several incident reports I have lost good time

Defendants

4) Yo J Mayor

Employed as Correctional officer at USP Lewisburg

Mailing Address: 2400 Robert F Miller Drive Lewisburg PA 17837

5) Whitaker

Employed as psychologist at USP Lewisburg

Mailing address 2400 Robert F Miller Drive Lewisburg PA 17837

6) DHO officer Cerney

Employed as DHO officer at USP Lewisburg

Mailing address 2400 Robert F Miller Drive Lewisburg PA  
17837

7) Record Supervisor GL Sherk

Employed as Records supervisor at USP Lewisburg

Mailing address 2400 Robert F Miller Drive Lewisburg PA  
17837

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## Statement of Claim

- 4) % J Moxor fabricated a <sup>2</sup> incident reports to retaliate against me for filing on him and for having my other false incident reports over turned, I host 27 good times Days I have to do the SMU program over cant talk to my family for six months or get visitors.
- 5) Whitaker conspired with DHO officer to violate my Due process right pursuant to program statement 5270.09 denied me the right to present evidence and witness to help % Moxor retaliate against me,
- 6) DHO officer Cerney conspired with staff representative to Deny my procedural Due Process pursuant to program statement 5270.09 and 1330.18 to violate my substantial rights and Loss of Privileges,
- 7) Record Supervisory Olsheski. Delayed and Tamper with Destroy my mail pursuant to program statement 5265.09 and 18 U.S.C 1701, 1693, 1703 this staff member held my mail to the court after he took one stamp off to claim It lack postage, the court I dont know if the got it in time to make there ruling he kept these letters from 4-16-18 to 4-24-18 I have not Heard from my family or other agency's I have been trying to contact through the U.S. Mail

2) Regional Director MD Carvajal refuse to process my DHO appeal from Incident report # 3013329 where the Western Regional Director sent him a memorandum stating the DHO officer must Amend the DHO Report and he must add the memorandum from the warden at US P victorville stating he substituted chambers staff Rep and why, He did not attached it because the DHO officer Lied, so insted of filing it the Regional Director refuse so he would not have to Expunge this Incident Report, attached DHO Amended Report and refuse Incident report # 3106016 Because he Know the Yo Mayor Lied and he would have to assault this Incident Report

2. Regional Director violated my due process of law right to exhaust my DHO Hearing on April 4, 2018, and refusing to investigate staff retaliating on me for reporting him saying he was going to freak me in the butt, in violation of program statement 1330.18
3. Assist warden Colbert, refuse to intervene in staff threatening to do sexual stuff to me or fabricating false incident reports to retaliate against me filing on them

## V. RELIEF

(State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.)

1. I want each Defendant to compensate me monetary value of 100,000.00 each and the F.B.O.P to Award me \$5,000,000.00 for pain and suffering and loss of Privileges I want these Defendants fired!
2. I want the court to review the camera footage and Expunge these fabricate incident reports my good time days restored
3. I want to be transferred to a low security facility near Chicago

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 8<sup>th</sup> day of May, 2018.

Roscoe Chambers  
(Signature of Plaintiff)



## Certificate of Service

I Roscoe Chambers Hereby certify the following to  
Be true and correct and A complete copy was sent  
to the Court,

Civil Complaint ~~01~~ 28 U.S.C. 1331 Federal  
officers and request to proceed without payment

Which is deemed filed on the date that it is present-  
ed to prison officials for forwarding to the United  
States Postal Service under Houston V. Lack 101 Fed. 2d  
245 (1988) upon the Court and served parties to the  
litigation and/or his/her attorneys of record, by  
placing same in a sealed postage prepaid envelope  
Addressed to:

Clerk of Court US Courthouse 240 west  
Third Street suite 218 Williamsport, PA 17701-6412

And Deposited same in the legal Mail Depository at  
USP Lewisburg on May 8, 2018

May 8, 2018

Roscoe Chambers 13495-030  
USP Lewisburg  
Special Management Unit  
P.O. Box 1000  
Lewisburg, PA 17837

Inmate Name: Roscoe Chambers  
Register Number: 13445-030  
United States Penitentiary Lewisburg  
P.O. Box 1000  
Lewisburg, PA 17837

MAY 19 2018

RECEIVED  
WILLIAMSPORT  
MAY 11 2018

DEPUTY CLERK

Per

RS  
5-8-18  
17/4/18

Legal Mail

US District Courthouse  
Herman T. Schneebeli Federal Building  
240 West Third Street Suite 218  
Williamsport, PA 17701-6412



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